

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VICTOR APODACA,

Plaintiff,

v.

No. 13-cv-0113 JB/SMV

**STATE OF N.M. ADULT
PROB. & PAROLE, et al.,¹**

Defendants.

ORDER FOR PERSONAL SERVICE OF PROCESS

THIS MATTER is before the Court sua sponte pursuant to 28 U.S.C. § 1915(d) and rule 4(c), (d) of the Federal Rules of Civil Procedure. Plaintiff is proceeding under § 1915, and it appears to the Court that personal service of the summons and complaint on Defendants Hillis and Lueras is required in this matter. *See* Fed. R. Civ. P. 4(c)(3), (d)(2). Under rule 4(d)(2), the Court must impose costs of service on a Defendant who, without good cause, does not comply with a request to waive service.

IT IS THEREFORE ORDERED that the Clerk is directed to issue summonses for Defendants Hillis and Lueras, and the U.S. Marshal shall serve the summonses with copies of this Order and the Complaint [Docs. 1, 3, 9] personally on Defendants Hillis and Lueras as directed by the Clerk. The service of the summons and complaint shall be at no cost to the Plaintiff.



UNITED STATES MAGISTRATE JUDGE

¹ On February 13, 2014, the Court dismissed several Defendants. Only the following remain: Wesley Hatley, Susan Pautler, Doctor Timothy Hillis, and Nurse Nancy Lueras. [Doc. 22].